

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CLEARVIEW CONTRACTING LLC,

Plaintiff,

vs.

STANLEY BUTLER and THEODORE
KEANE,

Defendants

Civ. A. No.

NOTICE OF REMOVAL

Please take notice that the defendants, Stanley Butler and Theodore Keane, remove this action, now pending in the Worcester Superior Court and assigned docket number 2185CV00564A, to this Court. In support of this notice, the defendants state as follows:

1. On May 14, 2021, the plaintiff, Clearview Contracting LLC, commenced this action by filing a Complaint in the Worcester Superior Court.
2. The defendants were served with the summons and complaint by personal service in Farmington, Maine on June 16, 2021.
3. The plaintiff is a Massachusetts limited liability company. The identity of its members is not a matter of public record, but on information and belief, Stephen J. Kieras and Patricia DeLohery are the members of Clearview Contracting LLC and are citizens of Massachusetts.
4. The defendants are citizens of Maine.

5. The amount in controversy exceeds \$75,000. The complaint alleges an unpaid invoice in the amount of \$77,447.86 and seeks damages for breach of contract and unjust enrichment on account of the unpaid invoice and additional damages on other grounds.

6. Because this action is between citizens of different states and the amount in controversy exceeds \$75,000, the action is within the Court's original jurisdiction. *See* 28 U.S.C. § 1332(a)(1).

7. Neither of the parties in interest properly joined and served as defendants is a citizen of Massachusetts.

8. This notice is being filed within 30 days after the receipt by the defendants of complaint.

9. Both of the defendants join in this notice of removal.

10. A copy of all process, pleadings, and orders served upon the defendants is being filed with this notice as Exhibit 1.

11. The action is removable under 28 U.S.C. § 1441(a).

Respectfully submitted,

STANLEY BUTLER and THEODORE
KEANE

By their attorney:

/s/ Theodore J. Folkman

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Dated: June 30, 2021